



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

W.No.24

AMARAVATI, WEDNESDAY, JUNE 19, 2019

G.147

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

--X--

NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**COMMANDANT, HEAD QUARTERS, A.P. SPECIAL
PROTECTION FORCE, TIRUPATI.**

Rc. No. 01 / A3 / Comdt. Hqrs / APSPF / TPT / 2019

Date: 04.05.2019.

O.E. AGAINST Sri J. HARON RAO, CT-4740 OF APSPF, SRISAILAM - FORWARDING
OF MINUTES COPY - FINAL EXPLANATION CALLED FOR.

- Ref:- 1. Proceedings Rc.No.01/A3/Comdt.Hqrs/APSPF/TPT/2019
O.O.No.280/2019, dated: 08.03.2019 of this office.
- 2) Charge Memo: Rc.No.01/A3/Comdt.Hqrs/APSPF/TPT/2019,
dated: 23.01.2019 of this office.
- 3) C.No.70/INSP/APSPF/Airport Kadapa/OE CT-4740/2019, dated:
01.05.2019 of the Inspector, APSPF, Airport Kadapa.

In the reference 1st cited, an Oral Enquiry was ordered against you in connection with the Articles of Charge framed vide reference 2nd cited. Now the Enquiry Officer Sri K. Ashok Kumar Reddy, Inspector, APSPF, Airport Kadapa has submitted Oral Enquiry report duly **"Proved"** the Articles of Charge vide reference 3rd cited. A copy of the enquiry report is sent herewith, with instructions to submit your final explanation if any, in order to dispose off the Oral Enquiry.

Your explanation should reach this office within (10) days from the date of receipt of this Memo, failing which, the O.E. will be disposed off basing on the merits.

Dated : 04-05-2019.

Sd/-.,
Commandant, Hqrs.,
A.P. Special Protection Force,
Tirupati.

To,
Sri J. Haron Rao, CT-4740 of APSPF, Srisailam.
thro' the Inspector, APSPF, Srisailam.

DEPARTMENTAL ENQUIRY REPORT AGAINST SRI J. HARON RAO,
CT-4740 OF APSPF. SRISAILAM UNIT.

Submitted by
Enquiry Officer
Sri K. Ashok Kumar Reddy,
Inspector,
APSPF
Airport, Kadapa.

C.No.60/Insp/APSPF/Airport-Kadapa/QE-CT-4740/2019,

Dated; 20.04.2019.

1. Under Rule 20 of the A P Civil Services (Classification, Control and Appeal) Rules 1991, I have been appointed by Commandant Hqrs APSPF, Tirupathi vide proceedings Rc. No. 01/A3/Comdt. Hqrs/APSPF/TPT/2019, O.O.No.280/2019, dated : 08.03.2019 as Enquiry authority to inquire into the charge framed against Sri J. Haron Rao, CT-4740 of APSPF Unit, Srisailam. I have completed the Enquiry and report as under :-
2. No presenting officer has been appointed.
3. The alleged Government Servant Sri J. Haron Rao, CT-4740 of APSPF Unit, Srisailam was attended O.E. and deposed his evidence.
4. The following Article of charge framed against Sri J. Haron Rao, CT-4740 of APSPF Unit, Srisailam.

ANNEXURE-I

Statement of Articles of the charge framed against Sri J. Haron Rao, CT-4740 of APSPF Unit, Srisailam.

ARTICLE-I

That, the said Sri J. Haron Rao, CT-4740 of APSPF Unit, Srisailam who was supposed to attend 'B' shift duties at 13.00 hours on 16.10.2018. But he did not turn up for duties and he was been absenting the duties unauthorized w.e.f. 16.10.2018 FN without obtaining any leave or intimation to his superiors.

ARTICLE -II

That the said Sri J. Haron Rao, CT-4740 has already received the following penalties in his past service:-

Major PRs (02 Nos):-

1. He was awarded with a penalty of *"Withholding of increments of pay for a period of two years with cumulative effect on future increments and pension"* vide Rc. No. TSSPF/A3/PR/44/2017, O.O.No.A-636/2017, dated.07.11.2017 for becoming unauthorized absence for a period of (77) days w.e.f. 06.04.2017 FN to 21.06.2017 AN.
2. Memorandum of Charge was issued vide Rc.No.07/A3/Comdt. Hqrs/ APSPF/TPT/2018, dated. 24.09.2018 for becoming unauthorized absence for a period of (166) days in two different spells i.e., (101) days from 26.01.2018 FN to 07.05.2018 and (65) days from 11.05.2018 AN to 16.07.2018 FN and the O.E. is in progress.

Minor PRs (01) :-

1. He was awarded with penalty of *"Withholding of increment of pay for a period of one year without cumulative effect on future increments and pension"* vide Rc.No. TSSPF/A7/MPR/24/2017, O.O.No.A-531/2017, dated. 28.08.2017 for becoming unauthorized absence for a period of (09) days w.e.f. 04.03.2017 AN to 13.03.2017 AN.

By the above acts, he has exhibited gross misconduct and negligence towards his legitimate duties, which is un-becoming of Government servant thereby violating Rule-3 of APCS (conduct) Rules-1964.

ANNEXURE -II**List of Documents:-**

1. Report of the Duty Officer Sri A.D. Rami Reddy, Sub-Inspector, APSPF, Srisailam, dated. 16.10.2018.
2. C.No.03/INSP/SSLM/APSPF/AWL/D.No.464/2018, dated. 17.10.2018 of the Inspector, APSPF, Srisailam.
3. Rc.No.01/A3/Comdt. Hqrs/APSPF/TPT/2019, dated. 23.01.2019 of D.I.G. & I/c Commandant, APSPF, Tirupati.
4. C.No.50/INSP/APSPF/SSLM/Ack./D.No.45/2019, dated.07.02.2019 of Inspector, APSPF, Srisailam Unit.

ANNEXURE -III**List of Witnesses:-**

- 1) The Inspector, APSPF, Srisailam Unit
- 2) Sri A.D. Rami Reddy, Duty Officer/Sub-Inspector, APSPF, Srisailam Unit.

Statement of imputations of gross misconduct in support of articles of charge framed against Sri J. Haron Rao CT-4740, APSPF, Srisailam Unit.

Sri J.Haron Rao, CT-4740 of APSPF Srisailam Dam is native of Guntur District. His date of birth is 10.04.1987. He was appointed as Constable in APSPF on 28.08.2010 and in such capacity he has been discharging his duties in APSPF Unit, Srisailam Dam.

That the said Sri J. Haron Rao, CT-4740 of APSPF Unit, Srisailam who was supposed to attend 'B' shift duties at 13.00 hours on 16.10.2018. But he did not turn up for duties and he was been absenting the duties unauthorized w.e.f. 16.10.2018 FN without obtaining any leave or intimation to his superiors.

That the said Sri J. Haron Rao, CT-4740 has already received the following penalties in his past service :- **Major PRs (02 No.s) :-**

1. He was awarded with a penalty of *"Withholding of increments of pay for a period of two years with cumulative effect on future increments and pension"* vide Rc.No.TSSPF/A3/PR/44/2017, O.O.No.A-636/2017, dated.07.11.2017 for becoming unauthorized absence for a period of (77) days w.e.f. 06.04.2017 FN to 21.06.2017 AN.

2. Memorandum of Charge was issued vide Rc.No.07/A3/Comdt.Hqrs/APSPF/TPT/2018, dated.24.09.2018 for becoming unauthorized absence for a period of (166) days in two different spells i.e., (101) days from 26.01.2018 FN to 07.05.2018 and (65) days from 11.05.2018 AN to 16.07.2018 FN and the O.E. is in progress.

Minor PRs (01) :-

1. He was awarded with penalty of "Withholding of increment of pay for a period of one year without cumulative effect on future increments and pension" vide Rc.No. TSSPF/A7/MPR/24/2017, O.O.No.A-531/2017, dated.28.08.2017 for becoming unauthorized absence for a period of (09) days w.e.f. 04.03.2017 AN to 13.03.2017 AN.

By the above acts, he has exhibited gross misconduct and negligence towards his legitimate duties, which is un-becoming of a Government servant thereby violating Rule-3 of APCS (conduct) Rules-1964.

5. Statement of Sri M. Ramanjaneyulu, Inspector, APSPF Unit.Srisailam. aged 39 years S/o M. Lalappa recorded in the O/o Inspector. APSPF. Srisailam unit on 20.04.2019 (PW-I).

Sri M.Ramanjaneyulu, Inspector, APSPF, Srisailam Unit stated that "I M. Ramanjaneyulu, working as a Inspector, APSPF Unit, Srisailam w.e.f. 06.01.2018 and as per records available in this unit I depose my statement is as follows :-

On 16.10.2018 Sri A.D. Rami Reddy, Sub-Inspector, APSPF, SLLMD, Srisailam Unit submitted of absent report in r/o Sri J. Haron Rao, CT-4740 APSPF, SLLMD, Srisailam Unit. On my perusal of absent report it is noticed that Sri J. Haron Rao, CT-4740 has to attend morning staff parade at 6 AM on 16.10.2018 and he also to be attend 'B' shift duty on same day at 13.00 hours, but said CT-4740 did not attended 'B' shift duty on 16.10.2018. Subsequently he became absent without leave (AWL) from 16.10.2018 FN without any intimation to his superiors. Basing on the absent report submitted by the Sri A.D. Rami Reddy, Sub- Inspector, the then Inspector sent AWL intimation report of Sri J. Haron Rao, CT-4740 to the Commandant, APSPF, Tirupati vide C.No.03/Insp/SSLM/APSPF/AWL/D.No.464/2018, dated. 17.10.2018. Further the then Inspector received the copy of "Memorandum of Charge of Sri J. Haron Rao, CT-4740 of APSPF, Srisailam Dam, Srisailam Unit from the Commandant, APSPF, Tirupati vide Rc.No.01 /A3/Comdt.Hqrs/APSPF/TPT/2019, dated.23.01.2019 and the same copy was sent to his native address of Sri J. Haron Rao, CT-4740 by register post vide RN580820283IN IVR. 82/8580820283 on 29.01.2019, the Xerox copy of register post and acknowledgement card are herewith submitted for reference.

Cross Examination:- Nil**6. Statement of Sri A.D. Rami Reddy, aged 55 years S/o A.C. Pakkera Reddy recorded in the O/o Inspector, APSPF, Srisailam unit on 20.04.2019 (PW-2).**

Sri A.D. Rami Reddy, Sub-Inspector, APSPF, Srisailam Unit stated that "I A.D. Rami Reddy working as a Sub-Inspector, APSPF Unit, Srisailam w.e.f. 07.09.2013 and depose my statement is as follows :-

On 16.10.2018 I was detailed as 'B' shift duty officer from 13.00 hours to 20.30 hours. Sri J. Haron Rao, CT-4740 was attended morning staff parade at 6 AM on 16.10.2018 and he also to be attend 'B' shift duty on same day from 13.00 hours to 20.30 hours, but said CT-4740 did not attend 'B' shift duty on 16.10.2018. Subsequently he became absent without leave (AWL) from 16.10.2018 FN without any intimation to his superiors. The same was informed to the Inspector, APSPF, Srisailam Dam through phone and submitted written report regarding the above incident.

7. Defense statement of J. Haron Rao, CT-4740 of APSPF, Srisailam unit recorded in the O/o of Inspector, Srisailam on 20.04.2019.

Sri J. Haron Rao, CT-4740 has given his written statement that J. Haron Rao, working as a Constable -4740, APSPF, Srisailam Unit and depose my statement is as follows :-

He has to be attending "B" shift duty on 16.10.2018, but due to ill health he failed to attend duty and became absent. He was transferred to Andhra Pradesh state from Telangana state on Bifurcation, since from neither he received salaries nor sanctioned leaves from higher officer. Due to that reasons he cannot take medical treatment. On that initially he went private hospital i.e. "Konak Hospital", Kothapeta, Guntur and after getting medical tests later he joined Govt Hospital, Sattenapalli for better treatment. Even though he cannot recovered from ill health, for which on 16.11.2018 he got medical tests again and declared that he has "Viral Hepatitis". Subsequently he took treatment for that disease. Mean time he received Charge Memorandum from Srisailam Dam office, but due to ill health he cannot give explanation to the charge memorandum. He submitted medical certificates regarding his ill health. Finally he requested that excuse him from his mistakes and further requested he cannot repeat such mistakes in future.

8. A. List of prosecution documents: - Perused the documents according to the Articles of charge framed against Sri J. Haron Rao, CT- 4740 APSPF, Srisailam Unit.

B. List of defense documents:- He has given his written statement along with medical certificates are only his defense document.

9. Analysis and Assessment of Evidence:-

As per the statement of PWs and contained subject in the PR file, it is clearly established that the following analysis and assessment of evidence as follows:-

1. I was appointed as enquiry officer by the Commandant, Hqrs, APSPF, Tirupathi vide Rc.No.01/A3/Comdt.Hqrs/APSPF/TPT/2019, O.O.No.280/2019, Dated: 08.03.2019 and OE was fixed at the O/o The Inspector, APSPF, Srisailam Unit on 20.04.2019 vide this office Memo C.No.60/Insp / APSPF / Airport-Kadapa/ OE-CT-4740 / 2019, dated : 13.04.2019. The intimation copy was sent to his available address i.e. J. Haron Rao S/o J. Ermiya, Komerapudi village, Sattinapalle Mandal, Guntur District-522 438, Cell.9490475825 through registered post and sent the same copy to PWs 1 and 2 i.e. Inspector and Sub- Inspector, APSPF, Srisailam Unit.
2. The OE was conducted on 20.04.2019 in the O/o the Inspector, APSPF, Srisailam Unit and recorded the statements of PW-1 Inspector, APSPF, Srisailam Unit and PW-2 Sri A.D. Rami Reddy, Sub-Inspector, APSPF, Srisailam Unit. The charged officer also attended O.E. and submitted his written statement.
3. It is fact that Sri J. Haron Rao, CT-4740 was supposed to attend "B" shift duties at 13.00 hours on 16.10.2018, but he did not attended "B" shift duty on that day and he became absent without leave w.e.f. 16.10.2018 FN.
4. Basing on the AWL report of J. Haron Rao, CT-4740 submitted by PW-1, the Commandant, APSPF, Tirupati issued Memorandum of Charge vide Rc.No.01/A3/Comdt. Hqrs/APSPF/TPT/2019, dated.23.01.2019. The same was sent to J. Haron Rao, CT-4740 through register post by PW-1. But the charged officer does not submit his explanation regarding memorandum of charge.
5. As per the statements of PW-1 and 2 the **Article-I** of Memorandum of Charge framed against him is fact.
6. Further Sri J. Haron Rao, CT-4740 has already received Major PRs (02 Nos) and Minor PR (01) for his past service all the details cited above. So that the **Article-II** of Memorandum of Charge framed against him is fact.

7. As per the records available in OE file and statements of PW-1 and 2, it is clearly established that, Sri J. Haron Rao, CT-4740, APSPF, Srisailam Unit became Absent Without Leave w.e.f. 16.10.2018 FN and he did not submitted his explanation regarding "Memorandum Of Charge "framed against him.

II. FINDING :-

In view of above entire analysis and assessment of evidences. I hold that the **Articles-1 and II** of the charge framed against Sri J. Haron Rao, CT-4740, APSPF, Srisailam unit are "**PROVED**" beyond reasonable doubts.

Certified that the procedure under provision 20 of A.P. Civil Service (Classification Control and Appeal) Rule 1991 has been followed correctly in conducting of the Enquiry.

K. ASHOK KUMAR REDDY,
Enquiry Officer,
Inspector, APSPF,
Airport, Kadapa.

---X---